

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:23-cv-00310

Catherine V. Fanciullo,
Plaintiff,

v.

Botie Hillhouse
Defendant.


ORDER

Plaintiff Catherine V. Fanciullo, proceeding pro se, filed this lawsuit pursuant to 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge John D. Love.

On September 13, 2023, the magistrate judge issued a report recommending that plaintiff's lawsuit be dismissed, without prejudice, for plaintiff's failure to prosecute and comply with a court order. Doc. 7. A copy of this report was sent to the address plaintiff provided. To date, plaintiff has not filed objections. A review of the mail tracking system shows that the mail was unclaimed on October 3, 2023.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. Plaintiff's lawsuit is dismissed, without prejudice, for failure to prosecute and comply with a court order. All pending motions are denied as moot.

So ordered by the court on November 17, 2023.



J. CAMPBELL BARKER
United States District Judge